

**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA**

**U.S.A. vs. Mary Kristina Evans****Docket No. 7:18-CR-154-2FL**

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Mary Kristina Evans, who was placed under pretrial release supervision by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, sitting in the Court at Wilmington, on the 23rd day of October, 2018.

The defendant appeared before the Honorable Louise W. Flanagan, U.S. District Judge, for arraignment on the 25th day of February, 2019, and supervision was continued under existing conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWS:**

Evans' Order Setting Conditions of Release indicate that she is placed in the third party custodianship of her father, Kevin Evans. The defendant, her father, and mother reside together at 1363 Godfrey Creed Road in Hampstead, North Carolina.

On April 7, 2019, the custodian, Kevin Evans, was charged with Communicating Threats in Pender County, North Carolina. The alleged victim is the defendant's mother, Sheila Evans. According to Mrs. Evans, her husband threatened to hurt her and in response she called authorities to the home. Upon examining the evidence, deputies with the Pender County Sheriff's Department charged Mr. Evans. Mrs. Evans informed that she suspected her husband was using drugs and agreed to allow him to return to the home in exchange for him pursuing substance abuse treatment.

On April 13, 2019, the custodian, Kevin Evans, was charged with Assault on a Female in Pender County. According to Mrs. Evans, she believed she observed drugs in her husband's possession, confronted him about it and his refusal to attend substance abuse treatment, and he struck her. Mrs. Evans advised the probation office that she has been granted an Order for Protection and that Mr. Evans is not allowed to return to their residence.

As the custodian, Kevin Evans, is no longer allowed to return to the residence in which the defendant resides, has two domestic assault related pending charges, and is alleged to be using narcotics, it is the opinion of the probation office that he is neither able nor fit to serve in his roll as a third party custodian. Further, if he is using drugs, his presence in the company of the offender, a recovering addict herself, is not amenable to her well-being and recovery.

The defendant, Ms. Evans, is in full compliance with her conditions of supervision and has been a model defendant on her term of pretrial supervision. It is the opinion of the probation office that Ms. Evans is no longer in need of a custodian.

Opposing counsel have been advised of these events and the recommendation of the probation office to the court as containing in this Petition. Defense counsel is in agreement. The probation office has not received a response from the United States Attorney's Office.

**PRAYING THAT THE COURT WILL ORDER:**

The condition that the defendant's father, Kevin Evans, serve as his daughter's third party custodian, be stricken.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Erik J. Graf  
Erik J. Graf  
U.S. Probation Officer  
414 Chestnut Street, Suite 102  
Wilmington, NC 28401-3958  
Phone: 910-679-2031  
Executed On: April 15, 2019

**ORDER OF THE COURT**

Considered and ordered the 17th day of April, 2019, and ordered filed and made part of the records in the above case.

  
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Louise W. Flanagan  
U.S. District Judge